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STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

CLAUDIU MARIT,

Petitioner/Appellant,

v.

Case No. 2018-170251-AA
Hon. Daniel P. O'Brien

DEPARTMENT OF LICENSING AND
REGULATORY AFFAIRS – BUREAU OF
COMMUNITY AND HEALTH SYSTEMS,

Respondent/Appellee.

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ORDER GRANTING STAY PENDING APPEAL

At a session of said Court held in the Oakland County Circuit
Court, in the City of Pontiac, Michigan on:
4/3/2019

PRESENT: DANIEL PATRICK O'BRIEN
CIRCUIT COURT JUDGE

On January 2, 2019, Petitioner/Appellant Claudiu Marit ("Marit"), filed his Motion to Stay Enforcement of Administrative Agency Decision Pending Appeal (in the circuit court) pursuant to MCR 7.119(E);

On March 20, 2019, Marit filed his Converted Motion to Stay Enforcement of Administrative Agency Decision Pending Appeal in the Michigan Court of Appeals pursuant to MCR 7.119(E);

On March 22, 2019, the Department of Licensing and Regulatory Affairs filed its Response and Brief in Opposition to Marit's Converted Motion;

The hearing on Marit's Converted Motion having been held on April 3, 2019; and the Court being otherwise advised in the premises:

IT IS HEREBY ORDERED that Marit's Motion to Stay Pending Appeal in the Michigan Court of Appeals is granted as follows:

1. No enforcement action of the Department's Final Decision and Order dated October 9, 2018 revoking Marit's license to operate an adult foster care family home shall occur during the pendency of the appeal in the Michigan Court of Appeals or as otherwise ordered by the Oakland County Circuit Court.

2. The Department shall update its website to accurately reflect the status of this case according to the Court's Orders.

IT IS SO ORDERED.

/S/DANIEL PATRICK O'BRIEN

CIRCUIT COURT JUDGE

MRS

Approved as to form:

/s/ Christine R. Essique

Christine R. Essique (P47266)
Attorney for Appellant

/s/ Kelley T. McLean

Kelley T. McLean (P56542)
Attorney for Appellee

STATE OF MICHIGAN
CIRCUIT COURT FOR THE SIXTH JUDICIAL CIRCUIT
OAKLAND COUNTY

CLAUDIU MARIT,

Appellant,

v

DEPARTMENT OF LICENSING AND
REGULATORY AFFAIRS, BUREAU OF
COMMUNITY AND HEALTH SYSTEMS,

Appellee.

Case No. 2018-170251-AA

HON. DANIEL P. O'BRIEN

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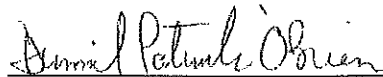
**ORDER GRANTING THE DEPARTMENT'S MOTION TO DISMISS MARIT'S
APPEAL FOR LACK OF SUBJECT MATTER JURISDICTION**

This matter came before this Court on the Michigan Department of Licensing and Regulatory Affairs' (Department) Motion to Dismiss Appellant Claudiu Marit's (Marit) Claim of Appeal for Lack of Jurisdiction, submitting Marit's appeal of the

Department's final decision and order revoking his adult foster care license under the Adult Foster Care Facility Licensing Act, MCL 400.701 *et seq.* was not timely filed. After reviewing the motion, briefs, and supplemental briefs filed by the parties and hearing oral argument on January 23, 2019 and January 30, 2019, the Court orders the following:

IT IS ORDERED that the Department's motion to dismiss Marit's appeal for lack of subject matter jurisdiction is granted for the reasons stated on the record.

This is a final order that closes the case.



HON. DANIEL P. O'BRIEN

and after Appellants
the filing objections
to Appellee's proposed
order submitted
under the 7-day rule,
and holding
oral argument
on Feb. 27, 2019,
orders the
following.